

SCHEDULE 9

Articles 13 and 21

BENEFIT SAVINGS

PART I

GENERAL INTERPRETATION

1.—(1) The additions to or deductions from, as the case may be, housing benefit subsidy or council tax benefit subsidy referred to in articles 13 and 21 shall be calculated in accordance with this Schedule.

(2) In this Schedule, unless the context otherwise requires—

A is equal to $(B + C) \times 32$;

B is the total sum of housing benefit savings made by a relevant authority;

C is the total sum of housing benefit related savings made by a relevant authority;

D is equal to $(E + F) \times 32$;

E is the total sum of council tax benefit savings made by a relevant authority;

F is the total sum of council tax benefit related savings made by a relevant authority; G, in the case of a relevant authority, is the figure prescribed in column (2) of the Table in Part IV for that authority;

H is 0.75 of the value of G;

I is 0.5 of the value of G;

“authorised person” means

- (i) an officer of a relevant authority; or
- (ii) an employee of a relevant authority’s contractor,

where that individual has been designated by that authority for the investigation of fraud;

“council tax benefit savings” means any amount which would have been allowed by way of council tax benefit to a claimant during a benefit week, but for the investigation and intervention of one or more authorised persons, and which would, had that amount been allowed as council tax benefit, have been fraudulent excess benefit, within the meaning of article 18(7), or in a case where only a proportion of that non-allowance was due to that investigation and intervention the amount shall be that proportion;

“council tax benefit related savings” means—

- (i) where council tax benefit savings have been established and that investigation has also led to a determination by an adjudication officer that no relevant benefit, or less relevant benefit is payable, any specified amount of relevant benefit that would, but for that investigation and consequent determination, have been paid to that claimant; and
- (ii) in a case where the council tax benefit savings were less than the total council tax benefit not allowed, the council tax benefit related savings shall be an amount determined by applying to the total of relevant benefit not paid a percentage equal to the percentage which those council tax benefit savings bear to the total council tax benefit not allowed, except that in neither case shall it include any amount which has been included in the housing benefit related savings for that authority;

“housing benefit savings” means any amount which would have been paid by way of housing benefit to a claimant during a benefit week, but for the investigation and intervention of one or more authorised persons, and which would, had that amount been paid as housing benefit, have

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been a fraudulent overpayment, within the meaning of article 10(5), or, in a case where only a proportion of that non-payment was due to that investigation and intervention, the amount shall be that proportion;

“housing benefit related savings” means—

- (i) where housing benefit savings have been established and that investigation has also led to a determination by an adjudication officer that no relevant benefit or less relevant benefit is payable, any specified amount of relevant benefit that would, but for that investigation and consequent determination, have been paid to that claimant; and
- (ii) in a case where the housing benefit savings were less than the total housing benefit not paid, the housing benefit related savings shall be an amount determined by applying to the total of relevant benefit not paid a percentage equal to the percentage which those housing benefit savings bear to the total housing benefit not paid;

“specified amount” means in relation to any particular claimant—

- (i) in the case of income support, the amount payable in respect of a benefit week within the meaning prescribed therefor in regulation 2(1) of the Income Support (General) Regulations 1987(1);
- (ii) in the case of incapacity benefit, severe disablement allowance or unemployment benefit, half of the fortnightly payment in arrears by which such benefit is to be paid pursuant to regulation 24(1) of the Social Security (Claims and Payments) Regulations 1987(2) or, in a case where that regulation does not apply, would be so paid if that regulation did apply;
- (iii) in the case of jobseeker’s allowance, the amount payable in respect of a benefit week within the meaning prescribed therefor in regulation 2(1) of the Jobseeker’s Allowance Regulations 1996(3);
- (iv) in the case of retirement pension or widow’s pension, the amount payable in respect of the week in advance in which such benefit is to be paid pursuant to regulation 22(1) of the Social Security (Claims and Payments) Regulations 1987(4) or, in a case where that regulation does not apply, would be so paid if that regulation did apply;

“a relevant authority” is an authority identified in column (1) of the Table in Part IV, and

“relevant benefit” means income support, incapacity benefit, jobseeker’s allowance, retirement pension, severe disablement allowance, unemployment benefit and widow’s pension, in a case where a claimant is in receipt of housing benefit or council tax benefit, as the case may be.

PART II

HOUSING BENEFIT SAVINGS

Addition to housing benefit subsidy

2.—(1) Subject to sub-paragraph (2), in the case of a relevant authority where the savings which are the sum of (A + D) are greater than H, the addition for that authority shall be 10 per cent. of the sum calculated by applying the following formula—

$$((A + D) - H) \times \frac{A}{(A+D)}.$$

(1) S.I.1987/1967; the Definition of “benefit week” was added by S.I. 1988/1445.
 (2) S.I. 1987/1968; regulation 24 was substituted by regulation 9 of S.I. 1994/2943.
 (3) S.I. 1996/207; the definition of “benefit week” was amended by S.I. 1996/1517 and 2538.
 (4) The relevant amendments are S.I. 1991/2741 and 1994/3196.

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(2) In the case of a relevant authority where the savings which are the sum of (A + D) are greater than G, the addition for that authority shall be the sum calculated for that authority in sub-paragraph (1) plus 15 per cent. of the sum calculated by applying the following formula—

$$((A + D) - G) \times \frac{A}{(A+D)}.$$

3. In the case of a relevant authority where the savings which are the sum of (A + D) do not exceed H, but do exceed I, there shall be no addition or deduction under this Part for that authority.

Deduction from housing benefit subsidy

4.—(1) Subject to sub-paragraph (2), in the case of a relevant authority where the savings which are the sum of (A + D) are less than I, the deduction for that authority shall be the sum calculated by applying the following formula—

$$((A + D) - I) \times \frac{A}{(A+D)}.$$

(2) In a case where the value of G for a relevant authority is less than £60,000, there shall be no deduction for that authority.

PART III

COUNCIL TAX BENEFIT SAVINGS

Council tax benefit savings

5.—(1) Subject to sub-paragraph (2), in the case of an authority where the savings which are the sum of (A + D) are greater than H, the addition for that authority shall be 10 per cent. of the sum calculated by applying the following formula—

$$\{(A + D) - H\} \times \frac{D}{(A+D)}.$$

(2) In the case of an authority where the savings which are the sum of (A + D) are greater than G, the addition for that authority shall be the sum calculated for that authority in sub-paragraph (1) plus 15 per cent. of the sum calculated by applying the following formula—

$$\{(A + D) - G\} \times \frac{D}{(A+D)}.$$

6. In the case of an authority where the savings which are the sum of (A + D) do not exceed H, but do exceed I, there shall be no addition or deduction under this Part for that authority.

Deduction from council tax benefit subsidy

7.—(1) Subject to sub-paragraph (2), in the case of an authority where the savings which are the sum of (A + D) are less than I, the deduction for that authority shall be the sum calculated by applying the following formula—

$$\{(A + D) - I\} \times \frac{D}{(A+D)}.$$

(2) In a case where the value of G for a relevant authority is less than £60,000, there shall be no deduction for that authority.

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PART IV

TABLE

8. The Table referred to in this Schedule is as follows:

<i>(1) Authority</i>	<i>(2) Sum £</i>
ENGLAND	
Adur	124,947
Allerdale	175,182
Alnwick	46,281
Amber Valley	153,047
Arun	402,374
Ashfield	155,189
Ashford	174,156
Aylesbury Vale	199,063
Babergh	129,542
Barking and Dagenham	411,419
Barnet	1,009,642
Barnsley	435,571
Barrow-in-Furness	184,747
Basildon	268,952
Basingstoke and Deane	274,999
Bassetlaw	166,884
Bath and North East Somerset	346,946
Bedford	347,467
Berwick-upon-Tweed	36,782
Bexley	564,056
Birmingham	3,533,842
Blaby	55,171
Blackburn	349,543
Blackpool	791,816
Blyth Valley	132,893
Bolsover	129,644
Bolton	610,960
Boston	80,423
Bournemouth	743,493
Bracknell Forest	166,085

<i>(1) Authority</i>	<i>(2) Sum £</i>
Bradford	1,349,353
Braintree	218,299
Breckland	182,313
Brent	2,018,173
Brentwood	86,474
Bridgnorth	61,061
Brighton	785,933
Bristol	1,290,913
Broadland	132,336
Bromley	706,606
Bromsgrove	65,857
Broxbourne	148,838
Broxtowe	149,676
Burnley	286,143
Bury	320,237
Calderdale	407,446
Cambridge	245,266
Camden	1,890,262
Cannock Chase	121,833
Canterbury	347,482
Caradon	169,594
Carlisle	173,197
Carrick	211,568
Castle Morpeth	49,034
Castle Point	123,004
Charnwood	143,170
Chelmsford	199,626
Cheltenham	249,143
Cherwell	239,521
Chester	209,400
Chester-le-Street	83,749
Chesterfield	203,856
Chichester	177,948
Chiltern	137,253

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<i>(1) Authority</i>	<i>(2) Sum £</i>
Chorley	129,822
Christchurch	84,270
City of London	39,157
Colchester	304,628
Congleton	72,988
Copeland	144,274
Corby	110,384
Cotswold	120,875
Coventry	927,234
Craven	71,563
Crawley	89,022
Crewe and Nantwich	148,228
Croydon	1,542,259
Dacorum	202,095
Darlington	225,940
Dartford	182,012
Daventry	59,917
Derby	574,073
Derbyshire Dales	58,688
Derwentside	176,622
Doncaster	547,500
Dover	338,595
Dudley	462,743
Durham City	112,186
Ealing	1,563,640
Easington	204,067
East Cambridgeshire	90,839
East Devon	209,415
East Dorset	103,428
East Hampshire	151,851
East Hertfordshire	147,579
East Lindsey	294,126
East Northamptonshire	89,962
East Riding of Yorkshire	505,080

<i>(1) Authority</i>	<i>(2) Sum £</i>
East Staffordshire	157,159
Eatbourne	324,250
Eastleigh	161,505
Eden	62,305
Ellesmere Port and Neston	86,583
Elmbridge	240,305
Enfield	1,093,496
Epping Forest	223,077
Epsom and Ewell	100,260
Erewash	156,212
Exeter	285,028
Fareham	100,670
Fenland	166,934
Forest Heath	70,480
Forest of Dean	118,963
Fylde	110,532
Gateshead	569,708
Gedling	166,449
Gillingham	247,205
Gloucester	315,069
Gosport	164,631
Gravesham	228,319
Great Yarmouth	309,986
Greenwich	1,075,517
Guildford	232,729
Hackney	2,288,113
Halton	324,067
Hambleton	95,769
Hammersmith and Fulham	1,319,799
Harborough	64,050
Haringey	2,448,685
Harlow	175,792
Harrogate	252,975
Harrow	613,876

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<i>(1) Authority</i>	<i>(2) Sum £</i>
Hart	90,529
Hartlepool	287,381
Hastings	436,303
Havant	224,347
Havering	445,137
Hereford	137,652
Hertsmere	155,541
High Peak	136,401
Hillingdon	676,432
Hinckley and Bosworth	91,509
Horsham	162,212
Hounslow	894,618
Hove	595,923
Huntingdon	182,690
Hyndburn	217,750
Ipswich	315,147
Isle of Wight	506,965
Isles of Scilly	2,041
Islington	1,437,903
Kennet	117,096
Kensington and Chelsea	1,258,473
Kerrier	232,571
Kettering	128,510
Kings Lynn and West Norfolk	214,146
Kingston-upon-Hull	782,973
Kingston-upon-Thames	324,236
Kirklees	853,316
Knowsley	509,921
Lambeth	2,304,537
Lancaster	381,061
Leeds	1,933,564
Leicester	806,889
Leominster	53,712
Lewes	214,099

<i>(1) Authority</i>	<i>(2) Sum £</i>
Lewisham	1,607,163
Lichfield	77,322
Lincoln	217,302
Liverpool	2,443,998
Luton	521,979
Macclesfield	181,122
Maidstone	210,246
Maldon	80,588
Malvern Hills	136,358
Manchester	3,005,068
Mansfield	233,965
Melton	50,917
Mendip	198,567
Merton	628,088
Mid Bedfordshire	137,758
Mid Devon	122,066
Mid Suffolk	95,456
Mid Sussex	216,657
Middlesbrough	494,207
Milton Keynes	428,800
Mole Valley	91,272
New Forest	266,011
Newark and Sherwood	168,503
Newbury	203,352
Newcastle-under-Lyme	135,960
Newcastle-upon-Tyne	996,040
Newham	1,898,731
North Cornwall	198,926
North Devon	276,591
North Dorset	74,585
North East Derbyshire	98,356
North East Lincolnshire	398,618
North Hertfordshire	219,548
North Kesteven	85,472

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<i>(1) Authority</i>	<i>(2) Sum £</i>
North Lincolnshire	240,303
North Norfolk	181,385
North Shropshire	78,866
North Somerset	461,323
North Tyneside	525,673
North Warwickshire	74,702
North West Leicestershire	90,313
North Wiltshire	138,548
Northampton	365,320
Norwich	383,608
Nottingham	1,062,629
Nuneaton and Bedworth	185,309
Oadby and Wigston	44,041
Oldham	532,605
Oswestry	55,742
Oxford	588,985
Pendle	204,447
Penwith	242,007
Peterborough	456,231
Plymouth	803,934
Poole	310,554
Portsmouth	712,939
Preston	327,726
Purbeck	78,926
Reading	543,570
Redbridge	1,049,827
Redcar and Cleveland	348,825
Redditch	109,296
Reigate and Banstead	208,770
Restormel	254,063
Ribble Valley	37,427
Richmond-upon-Thames	498,631
Richmondshire	48,135
Rochdale	571,314

<i>(1) Authority</i>	<i>(2) Sum £</i>
Rochester-upon-Medway	525,358
Rochford	119,298
Rossendale	129,599
Rother	235,197
Rotherham	424,028
Rugby	122,383
Runnymede	118,253
Rushcliffe	126,074
Rushmoor	203,183
Rutland	32,747
Ryedale	76,509
Salford	867,381
Salisbury	214,803
Sandwell	767,126
Scarborough	296,247
Sedgefield	154,408
Sedgemoor	229,440
Sefton	749,476
Selby	77,377
Sevenoaks	195,979
Sheffield	1,235,186
Shepway	280,767
Shrewsbury and Atcham	143,937
Slough	375,873
Solihull	265,669
South Bedfordshire	174,815
South Bucks	88,198
South Cambridgeshire	114,749
South Derbyshire	91,736
South Gloucestershire	264,097
South Hams	163,920
South Herefordshire	65,393
South Holland	74,136
South Kesteven	152,159

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<i>(1) Authority</i>	<i>(2) Sum £</i>
South Lakeland	154,671
South Norfolk	124,607
South Northamptonshire	72,292
South Oxfordshire	178,797
South Ribble	106,041
South Shropshire	74,141
South Somerset	274,208
South Staffordshire	83,090
South Tyneside	436,684
Southampton	810,198
Southend-on-Sea	781,979
Southwark	1,605,262
Spelthorne	150,031
St Albans	190,643
St Edmundsbury	136,731
St Helens	398,218
Stafford	121,058
Staffordshire Moorlands	81,123
Stevenage	211,931
Stockport	534,640
Stockton-on-Tees	357,756
Stoke-on-Trent	503,365
Stratford-on-Avon	132,834
Stroud	173,530
Suffolk Coastal	160,695
Sunderland	790,360
Surrey Heath	106,838
Sutton	410,104
Swale	310,230
Tameside	556,731
Tamworth	110,750
Tandridge	84,999
Taunton Deane	213,990
Teesdale	28,581

<i>(1) Authority</i>	<i>(2) Sum £</i>
Teignbridge	263,142
Tendring	353,749
Test Valley	120,524
Tewkesbury	92,013
Thamesdown	329,385
Thanet	633,768
The Wrekin	299,646
Three Rivers	120,993
Thurrock	282,224
Tonbridge and Malling	187,517
Torbay	628,008
Torridge	153,672
Tower Hamlets	1,001,985
Trafford	431,839
Tunbridge Wells	235,782
Tynedale	62,182
Uttlesford	87,934
Vale of White Horse	135,389
Vale Royal	123,515
Wakefield	582,904
Walsall	452,534
Waltham Forest	1,247,320
Wandsworth	1,730,479
Wansbeck	103,229
Warrington	301,377
Warwick	190,379
Watford	201,048
Waveney	434,114
Waverley	161,600
Wealden	165,639
Wear Valley	132,268
Wellingborough	107,862
Welwyn Hatfield	164,617
West Devon	83,030

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<i>(1) Authority</i>	<i>(2) Sum £</i>
West Dorset	162,543
West Lancashire	171,356
West Lindsey	98,629
West Oxfordshire	136,113
West Somerset	103,185
West Wiltshire	215,389
Westminster	2,246,947
Weymouth and Portland	218,942
Wigan	528,610
Winchester	160,038
Windsor and Maidenhead	252,773
Wirral	1,135,524
Woking	134,487
Wokingham	138,356
Wolverhampton	626,207
Worcester	181,172
Worthing	300,460
Wychavon	146,428
Wycombe	205,654
Wyre	171,236
Wyre Forest	154,315
York	337,297
WALES	
Blaenau Gwent	166,309
Bridgend	249,381
Caerphilly	297,862
Cardiff	904,283
Carmarthenshire	333,951
Ceredigion	147,146
Conwy	286,633
Denbighshire	207,211
Flintshire	199,081
Gwynedd	221,169
Isle of Anglesey	170,079
Merthyr Tydfil	153,182

<i>(1) Authority</i>	<i>(2) Sum £</i>
Monmouthshire	113,174
Neath Port Talbot	261,402
Newport	340,959
Pembrokeshire	240,174
Powys	166,182
Rhondda, Cynon, Taff	448,577
Swansea	586,302
Torfaen	167,111
Vale of Glamorgan	252,116
Wrexham	180,195
SCOTLAND	
Aberdeen City	232,699
Aberdeenshire	182,977
Angus	126,760
Argyll and Bute	168,516
Clackmannanshire	64,665
Dumfries and Galloway	232,481
Dundee City	420,381
East Ayrshire	164,957
East Dunbartonshire	87,857
East Lothian	135,716
East Renfrewshire	75,921
Edinburgh City	1,360,754
Falkirk	182,368
Fife	567,527
Glasgow City	2,359,900
Highland	313,204
Inverclyde	186,791
Midlothian	111,069
Moray	105,479
North Ayrshire	245,502
North Lanarkshire	462,806
Orkney	25,999
Perth and Kinross	176,132
Renfrewshire	279,607

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<i>(1) Authority</i>	<i>(2) Sum £</i>
Scottish Borders	139,568
Shetland	15,186
South Ayrshire	201,944
South Lanarkshire	428,836
Stirling	115,641
West Dunbartonshire	162,949
West Lothian	192,114
Western Isles	34,237
NEW TOWNS	
Cumbernauld	24,675
Irvine (DC)	15,635
Livingstone (DC)	32,393
Scottish Homes	271,329